

Daniel J. Stephenson (SBN 270722)

daniel.stephenson@klgates.com
Jeffrey A. Iloulian (SBN 293633)
jeff.iloulian@klgates.com

krl.roumar@rigates.com
K&L GATES LLP
10100 Santa Monica Boulevard
Eighth Floor
Los Angeles, CA 90067
Telephone: (310) 552-5000
Facsimile: (310) 552-5001

Attorneys for Defendant
LENOVO (UNITED STATES), INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: LENOVO ADWARE LITIGATION,

Case No. 5:15-md-02624-RMW

This Document Relates To: All Actions

**DEFENDANT'S NOTICE OF
MOTION AND MOTION TO DISMISS
PLAINTIFFS' COMPLAINT
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 12(B)(6)**

Date: March 11, 2016
Time: 9:00 a.m.
Judge: Ronald M. Whyte
Courtroom: 6, 4th Floor

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT on March 11, 2016, at 9:00 AM, or as soon thereafter as the matter may be heard, in Courtroom 6, on the 4th floor, of the above-captioned Court, located at 280 South 1st Street, San Jose, CA 95113, Defendant Lenovo (United States), Inc. (“Lenovo”), will and hereby does move this Court for an order dismissing Plaintiffs’ Complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6).

This motion is brought on the grounds that Plaintiffs do not have standing under Article III of the United States Constitution to bring the present action and have failed to state a claim upon which relief may be granted.

This Motion is, and will be, based upon this Notice, the Memorandum of Points and Authorities, Plaintiffs' Complaint, and all other papers and pleadings on file in this matter, and all other documents and matters to which this Court may properly consider.

Respectfully submitted,

K&L GATES LLP

Dated: January 20, 2016

/s/ Daniel J. Stephenson

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Eighth Floor
Los Angeles, CA 90067
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Counsel for Lenovo